

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
) CRIMINAL NO. 04-10345-NMG
v.)
)
MOHAMMED ABDUL RASHEED QUARAISHI)
MOHAMMED ABDUL QAYIUM QURAISHI)
MOHAMMED ABDUL AZIZ QUARAISHI ,)
)
)
Defendants.)
)

JOINT MEMORANDUM PURSUANT TO LOCAL RULE 116.5

The United States of America and the Defendants Mohammed Abdul Rasheed Quaraishi, Mohammed Abdul Qayium Quraishi and Mohammed Abdul Aziz Quarishi, by their counsel, Frank A. Libby, Jr., Peter E. Gelhaar, and Michael J. Connolly, respectively, hereby submit this joint memorandum to advise the Court that a status conference, now scheduled for February 11, 2005, is not necessary, and ask the Court to concur, pursuant to Local Rule 116.5(A).

Status of the Case

The government has provided Defendants' counsel with discovery in this case in accordance with Fed. R. Crim. P. 16 and Local Rule 116.1. Defendants' counsel need a meaningful opportunity to review the discovery with Defendant.

In addition, additional review of discovery, including materials seized pursuant to search warrant(s), and discussions

between the parties in light of the discovery will allow the parties to address the issues set forth in Local Rule 116.5.

Finally, this matter has been reassigned to a new Assistant United States Attorney, who requires an opportunity to familiarize himself with this matter.

Accordingly, the parties request that an interim status conference be re-scheduled to March 31, 2005, or another date that week convenient to the Court. This period will allow the Defendants an opportunity to complete a review of discovery, make additional discovery requests, if necessary, and allow the parties to confer regarding the issues set forth in Local Rule 116.5.

Local Rule 116.5(A)(5)

The parties agree that the period from February 11, 2005, the date on which excludable time expires pursuant to the Court's January 11, 2005 order, until the date of the interim status conference in March 31, 2005, or another date that week convenient to the Court as requested herein, is excludable. The parties ask the Court to so find, based upon the parties use of the period of the continuance to review discovery and confer, and a finding by the Court that a continuance for these purposes serves the ends of justice and outweighs the best

interest of the public and the defendant in a speedy trial, pursuant to 18 U.S.C. § 3161(h)(8)(A).

Respectfully submitted,

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February 10, 2005